

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
NE/S Blue Crab Court, 240' N		
of Green Cove Circle	*	DEPUTY ZONING COMMISSIONER
15th Election District		
7th Councilmanic District	*	OF BALTIMORE COUNTY
(4 Blue Crab Court)		
	*	CASE NO. 02-227-A
Regina M. & Jeffrey L. Overhulser		
Petitioners	*	

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Regina M. and Jeffrey L. Overhulser. The variance request is for property located at 4 Blue Crab Court, in the eastern area of Baltimore County. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504.2 (C.M.D.P., Table VI), to permit an addition (patio room) with a rear building face to rear property line setback of 26 ft. in lieu of the required 30 ft. and to amend the most recent Final Development Plan for Beachwood Estates (Lot 180). The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the

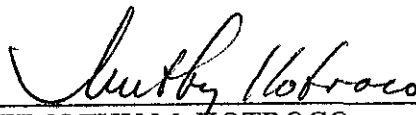
1/16/02  
 R. Overhulser

requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7<sup>th</sup> day of January, 2002, that a variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section 504.2 (C.M.D.P., Table VI), to permit an addition (patio room) with a rear building face to rear property line setback of 26 ft. in lieu of the required 30 ft. and to amend the most recent Final Development Plan for Beachwood Estates (Lot 180), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
TIMOTHY M. KOTROCO  
DEPUTY ZONING COMMISSIONER  
FOR BALTIMORE COUNTY

TMK:raj

*1/7/02*  
*[Handwritten signature]*



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

January 7, 2002

Mr. & Mrs. Jeffrey L. Overhulser  
4 Blue Crab Court  
Baltimore, Maryland 21219

Re: Petition for Administrative Variance  
Case No. 02-227-A  
Property: 4 Blue Crab Court

Dear Mr. & Mrs. Overhulser:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

Timothy M. Kotroco  
Deputy Zoning Commissioner

TMK:raj  
Enclosure

c: Mr. John Hefner Champion  
7034 Golden Ring Road  
Baltimore, MD 21237

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper



# Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 4 Blue Crab Court  
which is presently zoned DR. 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1801.2.C.1.b and Section 504.2(CMDP Table VI) an addition (patio room) with a to permit rear building face to rear property line setback of 26 feet in lieu of the required 30 feet and to amend the most recent Final Development Plan for Beachwood Estates (Lot 180).

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form. This property is ZONED DR. 3.5 It required a 30' Rear setback we will only have 26'.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

## Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address Telephone No.

City State Zip Code

## Legal Owner(s):

Jeffrey L. Overhulser  
Name - Type or Print

Jeffrey L. Overhulser  
Signature

Regina M. Overhulser  
Name - Type or Print

Regina M. Overhulser  
Signature

4 Blue Crab Ct (H) 410-388-5991  
Address Telephone No.

Baltimore MD 21219  
City State Zip Code

## Representative to be Contacted:

John Hofner Champion  
Name

7034 Golden Ring Rd 780-0062  
Address Telephone No.

Baltimore MD 21237  
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 11/29/01 day of November that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

CASE NUMBER 02-227-A

Revised 9/15/98 - WCR/scj

Zoning Commissioner of Baltimore County

Reviewed By JNP Date 11/29/01

Estimated Posting Date 12/9/01

# Affidavit •

## in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at

4 Blue Crab Ct  
Address  
BWI MD 21219  
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

we would like to add value and extra living space to our home and get some relief from the mosquitoes in the summertime.  
This Proposed Patio Room will be built on a Existing deck that already has a sliding glass door.  
this deck is 26 ft from the back line

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Jeffrey Overhulser  
Signature  
Jeffrey Overhulser  
Name - Type or Print

Regina Overhulser  
Signature  
Regina Overhulser  
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12<sup>th</sup> day of November, 2001, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Jeffrey Overhulser and Regina Overhulser

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

11/12/01  
Date

Brenda L. Bethke  
Notary Public

My Commission Expires 12/01/2003

Zoning Description for 4 Blue crab CT.

Beginning at a point on the northeast side of Blue crab CT. Which is at the end of the cul-de-sac. At the distance of 240 ft. north of the centerline of the nearest improved intersecting street which is Green Cove Circle, which 30 feet wide. \*Being lot #180, Section #1 in the subdivision of Beachwood Estates as recorded in the Baltimore county Plat book #68, Folio #98 containing 6,270 sq. ft. Also known as 4 Blue Crab Court, and located in the 15<sup>th</sup> election district, and the 7<sup>st</sup> councilmanic district.

02-227-A

No.

DATE 11/29/01 ACCOUNT 6-001-006-6150

AMOUNT \$ 20.00

RECEIVED  
FROM: Mr. Williams (2. Sch. Sec. - Ex. L. 100)

FOR: Chitra (subvert)

7-1-A

<u>DISTRIBUTION</u>	
WHITE - CASHIER	PINK - AGENCY
	YELLOW - CUSTOMER

DATE RECEIVED  
FBI MOBILE  
FBI  
JAN 29 11:39:20 AM 2011  
CHIEF OF POLICE  
JAN 29 11:39:20 AM 2011  
FBI  
JAN 29 11:39:20 AM 2011  
FBI

**CASHIER'S VALIDATION**

# CERTIFICATE OF POSTING

RE: Case No.: 02-227-A

Petitioner/Developer: OVERHOLSER

Date of Hearing/Closing: 12/24/01

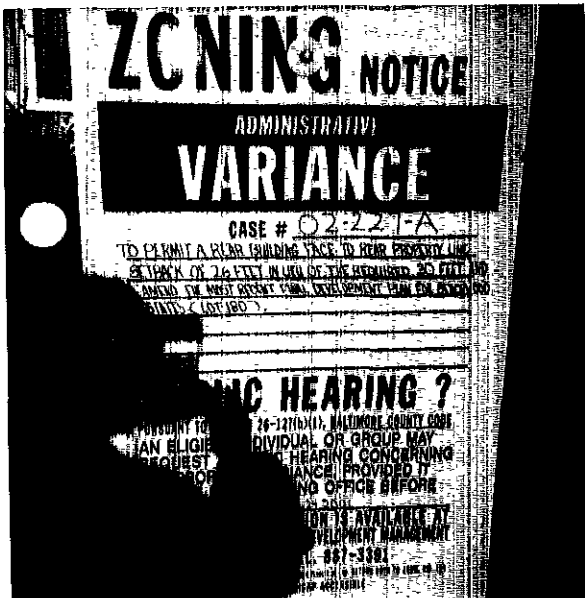
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law  
were posted conspicuously on the property located at 4 BLUE CRAB COURT

The sign(s) were posted on 12/9/01  
(Month, Day, Year)



Sincerely,

[Signature] 12/9/01  
(Signature of Sign Poster and Date)

SSG ROBERT BLACK  
(Printed Name)

1508 Leslie Rd  
(Address)

Dundalk, Maryland 21222  
(City, State, Zip Code)

(410) 282-7940  
(Telephone Number)



BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

**ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Case Number 02- 227 -A Address 4 Blue Crab Court  
Contact Person: Jeffrey Perlow Phone Number: 410-887-3391  
Planner, Please Print Your Name  
Filing Date: 11/29/01 Posting Date: 12/9/01 Closing Date: 12/24/01

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

**Petitioner: This Part of the Form is for the Sign Poster Only**

**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**

Case Number 02- 227 -A Address 4 Blue Crab Court  
Petitioner's Name Overhuler Telephone 410-388-0991  
Posting Date: 12/9/01 Closing Date: 12/24/01  
Wording for Sign: To Permit a rear building face to rear property line setback of  
26 feet in lieu of the required 30 feet and to amend the most recent  
Final Development Plan for Beachwood Estates (Lot 180).

Granted 1/27/02

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits & Development Mgmt. **DATE:** January 24, 2002

**FROM:** *RWB* Robert W. Bowling, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For January 7, 2002  
Item Nos. 221, 222, 224, 225, 226, 227,  
228, 229, 231, 232, 233, 234, 237, 239,  
and 240

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

January 4, 2002

Department of Permits and  
Development Management (PDM)  
County Office Building, Room 111  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 31, 2001

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

221, 222, 224, 225, 226, ~~227~~, 228, 229, 230, 231, 232, 233, 234,  
235, 236, 237, 238, 239, and 240

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office  
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon  
FROM: Todd G. Taylor *TGT*  
DATE: January 17, 2002

SUBJECT: Zoning Item 227  
Address 4 Blue Crab Court

Zoning Advisory Committee Meeting of 12/31/01

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

\_\_\_\_\_ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X\_\_\_\_\_ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).

X\_\_\_\_\_ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X\_\_\_\_\_ Additional Comments:

Impervious surfaces are limited to 1,568 feet square for this lot.

Reviewer: Kieth Kelley

Date: 1/09/02

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

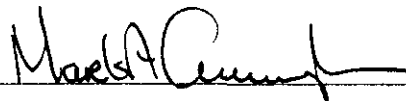
**DATE:** January 8, 2002

**FROM:** Arnold F. 'Pat' Keller, III  
Director, Office of Planning

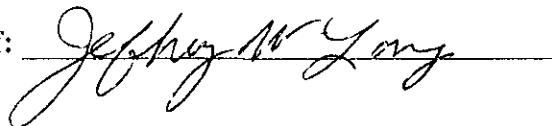
**SUBJECT:** Zoning Advisory Petition(s): Case(s) 02-225, 02-227 & 02-238

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

John D. Porcari  
Secretary

Parker F. Williams  
Administrator

Date: 1.2.02

Mr. George Zahner  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. [REDACTED]

JNP

Dear Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 02-227-A

Date Completed/Initials

12-31-01

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

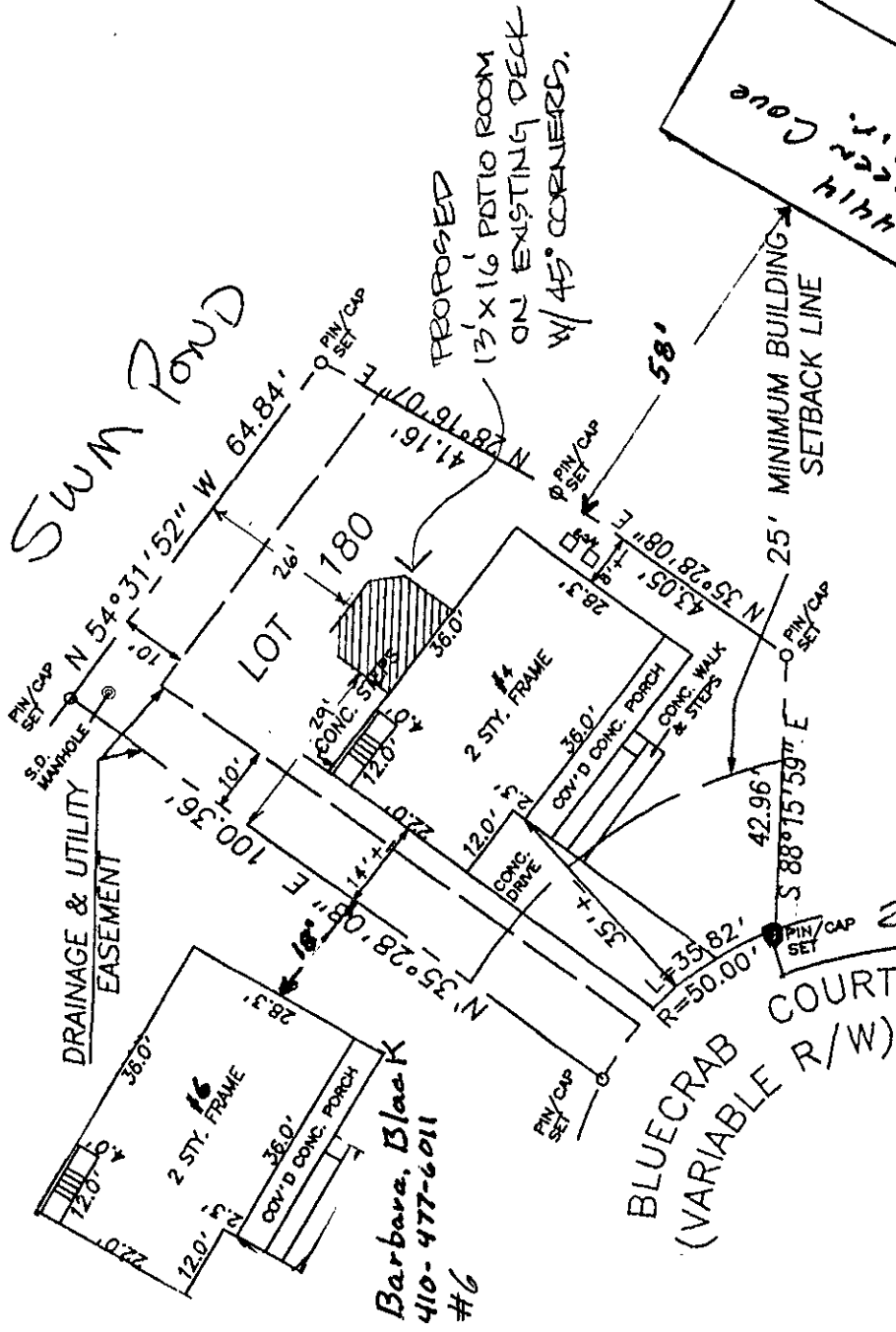
COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

PROPERTY ADDRESS: 4- Blue Crab Court  
 Subdivision name: Beachwood Estates  
 plat book # 68, folio # 98, lot # 180, section # ONE  
 OWNER: Jeffrey + Regina Overhulser



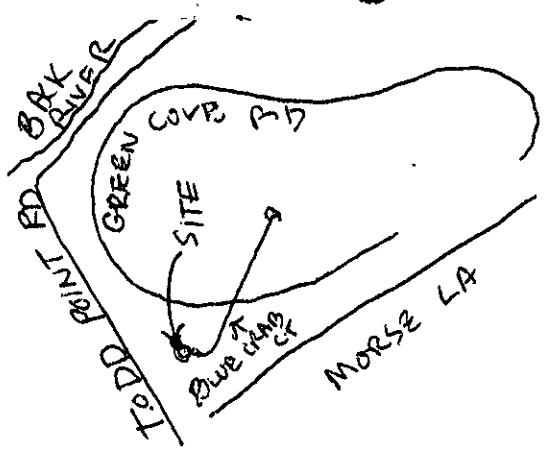
Barbara, Black  
 410-477-6011  
 #6



North  
 date: 11-18-01  
 prepared by: Gerard Andersen

Scale of Drawing: 1" = 30

William + Teresa Thornton  
 410-477-1037



## LOCATION INFORMATION

Election District: 15  
 Councilmanic District: 2  
 1"=200 scale map #: SE 4H  
 Zoning: DR 3.5  
 Lot size: .144 acreage 6,270 square feet

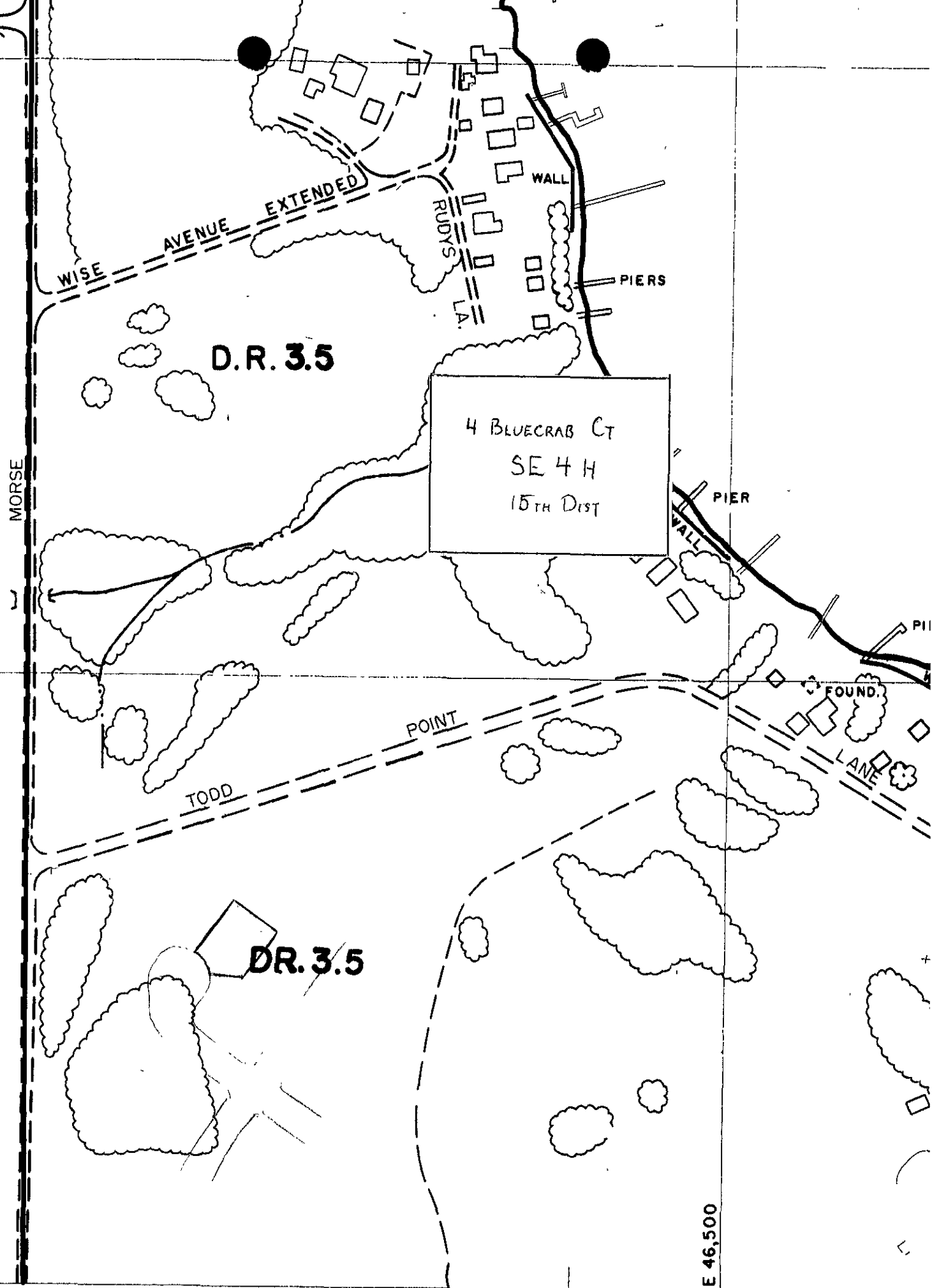
public	<input checked="" type="checkbox"/>	SEWER:	<input checked="" type="checkbox"/>
private	<input type="checkbox"/>	WATER:	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	Chesapeake Bay Critical Area:	<input checked="" type="checkbox"/>

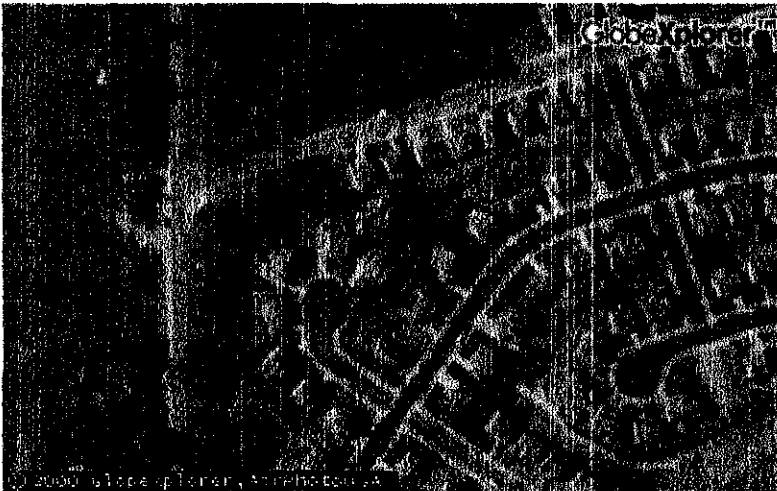
Prior Zoning Hearings: NONE  
ELEV. 11 1/2 FT  
ZONES PANEL 440

Zoning Office USE ONLY!  
 reviewed by: JNP ITEM #: 227 CASE #:  
02-2274

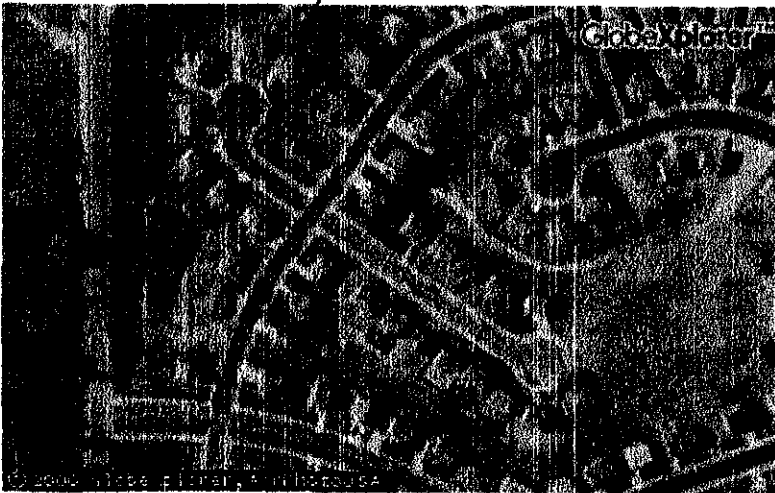
Ret. Ex. #1



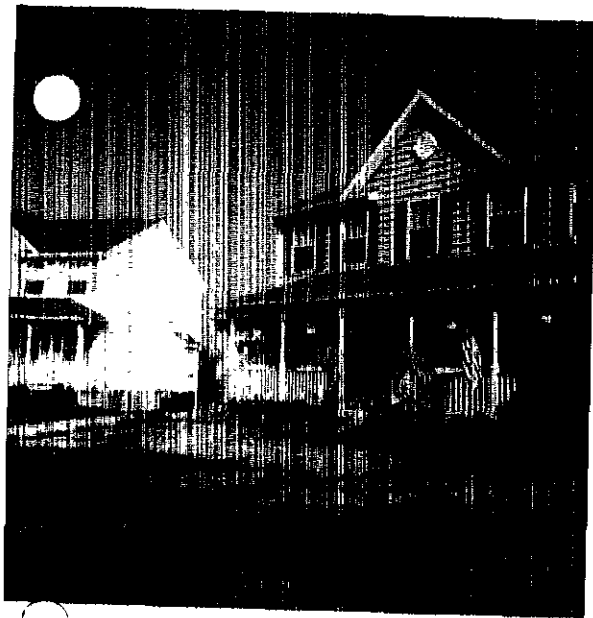




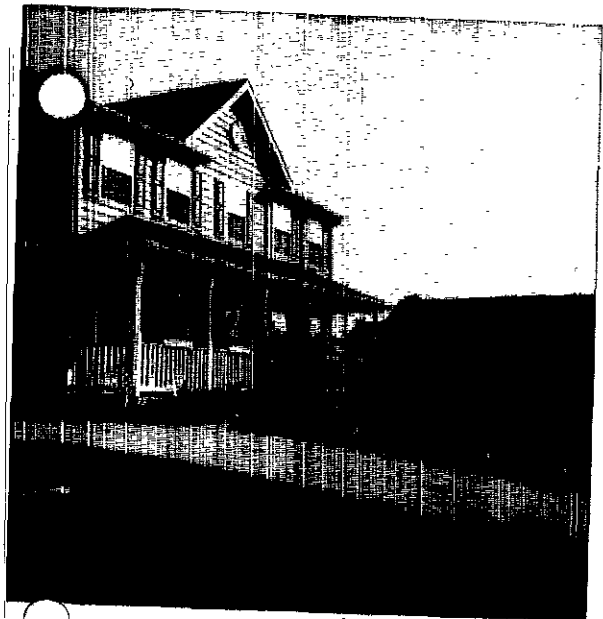
4 Blue Crab Court



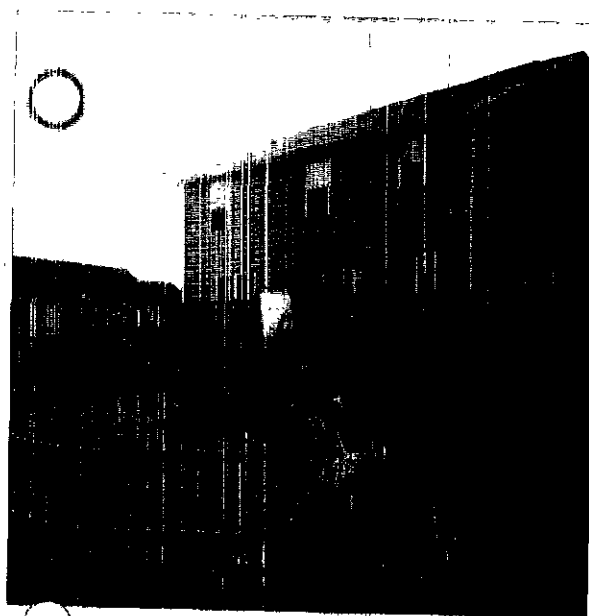
02-227-A



4 Blue Crab Court  
+ 4 Blue Crab



4 Blue Crab Court  
Looking Right  
444 Green Cove Cir



Back deck on  
4 Blue Crab Court